

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KENDALL RAYE ROGERS,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 05-721-*** (MPT)
)	
STATE OF DELAWARE,)	
DEPARTMENT OF PUBLIC SAFETY/)	
DMV,)	
)	
Defendants,)	

STATUS REPORT

As ordered by the Court on January 5, 2007 (D.I. #41), this is the status report for this case.

Present status of the case: Awaiting a decision on the Defendant's motion for summary judgment (D.I. # 28), the only outstanding motion in the case at this point. Briefing on the Motion was completed in November, 2006. Plaintiff filed his Answering memorandum opposing the Motion with the Court on November 17, 2006 (D.I. #39), two days after the Reply Brief (D.I. # 37). The State had received its copy of the Answering memorandum on October 31, 2006, however, well before it filed its Reply Brief.

Status of Discovery: Completed.

Scheduling Order: Issued originally December 23, 2005 (D.I.# 10), setting March 26-28, 2007 for a 3-day bench trial (8 hours per side). No new scheduling orders were issued, although the Court did extend the briefing schedule on the Motion for Summary Judgment.

Prior Pre-trial Date: February 26, 2007.

Mediation and Settlement Discussion: This case is not scheduled for mediation.

There have been regular teleconferences with the U.S. Magistrate to discuss potential settlement, but no agreement has been reached. In light of the transfer of the case to the Magistrate pending the appointment of a new District Judge, the parties assume that the pre-trial and trial dates are no longer valid.

Respectfully submitted,

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Date: January 11, 2007